

**THE HON'BLE MR JUSTICE B.PRAKASH RAO**

**And**

**THE HON'BLE MR JUSTICE D.APPA RAO**

WRIT APPEAL NO.252 of 2006

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13<sup>th</sup> March 2006

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 07.10.2004 in W.P.NO.7812 OF 1994 on the file of the High Court.)

Between:

S.Satyanarayana.

**...APPELLANT**

**AND**

1. The General Manager, Visakha Coop. Dairy, Visakhapatnam.

And one other.

**...RESPONDENTS**

**THE HON'BLE MR JUSTICE B.PRAKASH RAO**

**And**

**THE HON'BLE MR JUSTICE D.APPA RAO**

WRIT APPEAL NO.252 OF 2006

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**JUDGMENT:** (Per the Hon'ble Mr Justice B.Prakash Rao)

Heard both the sides.

At their request, the Writ Appeal itself is taken up for disposal at the admission stage.

The appellant is the unsuccessful writ petitioner, who seeks to assail the order dated 07.10.2004 dismissing the Writ Petition being W.P.No.7812 of 1994 filed by him challenging the impugned charge memo dated 07.03.1994 issued to him on certain allegations.

Though several contentions have been urged across the bar, having regard to the fact that the matter is pending before the respondents, it is not proper for this

Court to go into the merits or express any opinion at this stage.

Even during the course of arguments, the learned counsel for the appellant submitted that in reply to the charge memo dated 07.03.1994; the appellant submitted a detailed explanation dated 06.04.1994. But till now no order is passed and the same is still pending consideration. In the circumstances, it would suffice in the interest of justice to direct the respondents to pass orders on the explanation filed by the appellant.

Accordingly, the Writ Appeal is disposed of directing the respondents to consider the explanation dated 06.04.1994 filed by the appellant in respondent to the charge memo dated 07.03.1994 and pass orders on merits in terms of the explanation. No costs.

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**(B.PRAKASH RAO, J)**

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**(D.APPA RAO, J)**

13<sup>th</sup> March 2006

RRB

